

**REPORT OF THE AUDIT OF THE
ALLEN COUNTY
CLERK**

**For The Year Ended
December 31, 2002**



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EDWARD B. HATCHETT, JR.
AUDITOR OF PUBLIC ACCOUNTS

To the People of Kentucky
Honorable Paul E. Patton, Governor
Gordon C. Duke, Secretary
Finance and Administration Cabinet
Dana Mayton, Secretary, Revenue Cabinet
Honorable Johnny Hobdy, Allen County Judge/Executive
Honorable Beverly Calvert, Allen County Clerk
Members of the Allen County Fiscal Court

The enclosed report prepared by Ross & Company, PLLC, Certified Public Accountants, presents the statement of receipts, disbursements, and excess fees of the County Clerk of Allen County, Kentucky, for the year ended December 31, 2002.

We engaged Ross & Company, PLLC to perform the financial audit of this statement. We worked closely with the firm during our report review process; Ross & Company, PLLC evaluated the Allen County Clerk's internal controls and compliance with applicable laws and regulations.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ed Hatchett".

Edward B. Hatchett, Jr.
Auditor of Public Accounts

Enclosure



**REPORT OF THE AUDIT OF THE
ALLEN COUNTY
CLERK**

**For The Year Ended
December 31, 2002**

ROSS & COMPANY, PLLC
Certified Public Accountants
800 Envoy Circle
Louisville, KY
Telephone (502) 499-9088
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EXECUTIVE SUMMARY

AUDIT EXAMINATION OF THE ALLEN COUNTY CLERK

**For The Year Ended
December 31, 2002**

Ross and Company, PLLC has completed the Allen County Clerk's audit for the year ended December 31, 2002. We have issued an unqualified opinion on the financial statement taken as a whole. Based upon the audit work performed, the financial statement is presented fairly in all material respects.

Financial Condition:

Excess fees increased by \$7,941 from the prior calendar year, resulting in excess fees of \$27,289 as of December 31, 2002. Revenues increased by \$147,631 from the prior year and disbursements increased by \$139,690.

Debt Obligations:

Capital lease agreements totaled \$46,328 as of December 31, 2002. Future principal and interest payments of \$46,328 are needed to meet these obligations.

Report Comment:

- The County Clerk's Office Lacks Adequate Segregation Of Duties

Deposits:

The Clerk's deposits were insured and collateralized by bank securities or bonds.

CONTENTS

PAGE

INDEPENDENT AUDITOR’S REPORT	1
STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES.....	3
NOTES TO FINANCIAL STATEMENT	7
COMMENT AND RECOMMENDATION	10
REPORT ON COMPLIANCE AND ON INTERNAL CONTROL OVER FINANCIAL REPORTING BASED ON AN AUDIT OF THE FINANCIAL STATEMENT PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS	12

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Independent Auditor's Report

We have audited the accompanying statement of receipts, disbursements, and excess fees of the County Clerk of Allen County, Kentucky, for the year ended December 31, 2002. This financial statement is the responsibility of the County Clerk. Our responsibility is to express an opinion on this financial statement based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for County Fee Officials issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, the County Clerk's office prepares the financial statement on a prescribed basis of accounting that demonstrates compliance with the modified cash basis and laws of Kentucky, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

In our opinion, the financial statement referred to above presents fairly, in all material respects, the receipts, disbursements, and excess fees of the County Clerk for the year ended December 31, 2002, in conformity with the modified cash basis of accounting.

To the People of Kentucky
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In accordance with Government Auditing Standards, we have also issued our report dated August 6, 2003, on our consideration of the County Clerk's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grants. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be read in conjunction with this report in considering the results of our audit.

Based on the results of our audit, we have presented the accompanying comment and recommendation, included herein, which discusses the following report comment:

- The County Clerk's Office Lacks Adequate Segregation Of Duties

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ross & Company", written in a cursive, flowing style.

Ross & Company, PLLC

Audit fieldwork completed -
August 6, 2003

ALLEN COUNTY
BEVERLY CALVERT, COUNTY CLERK
STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES

For The Year Ended December 31, 2002

Receipts

State Grants		\$	11,361
State Fees For Services			7,413
Fiscal Court			5,503
Licenses and Taxes:			
Motor Vehicle-			
Licenses and Transfers	\$	380,678	
Usage Tax		1,057,438	
Tangible Personal Property Tax		995,081	
Motor Vehicle Lien Release Fees		4,899	
Motor Vehicle Notary Fees		12,514	
Miscellaneous		2,707	
Licenses-			
Fish and Game		15,727	
Marriage		6,831	
Occupational		25	
Deed Transfer Tax		38,571	
Delinquent Tax		222,980	2,737,451
Fees Collected for Services:			
Recordings-			
Deeds, Easements, and Contracts	\$	16,036	
Real Estate Mortgages		34,023	
Chattel Mortgages and Financing Statements		52,472	
Liens and Lis Pendens		3,048	
Powers of Attorney		2,506	
Releases		11,679	
All Other Recordings		5,593	
Charges for Other Services-			
Candidate Filing Fees		1,080	
Copywork and Postage		3,159	129,596
Other:			
Refunds and Overpayments	\$	16,554	
Miscellaneous Income		292	16,846

The accompanying notes are an integral part of this financial statement.

ALLEN COUNTY
 BEVERLY CALVERT, COUNTY CLERK
 STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES
 For The Year Ended December 31, 2002
 (Continued)

Receipts (Continued)

Interest Earned	\$ 1,310
Total Receipts	\$ 2,909,480

Disbursements

Payments to State:

Motor Vehicle-

Licenses and Transfers	\$ 282,351
Usage Tax	1,025,060
Tangible Personal Property Tax	346,075

Licenses, Taxes, and Fees-

Fish and Game	15,294
Delinquent Tax	19,802
Legal Process Tax	16,726
Candidate Filing Fees	<u>570</u>

\$ 1,705,878

Payments to Fiscal Court:

Tangible Personal Property Tax	\$ 85,944	
Delinquent Tax	20,156	
Deed Transfer Tax	<u>36,643</u>	142,743

Payments to Other Districts:

Tangible Personal Property Tax	\$ 522,901	
Delinquent Tax	<u>136,060</u>	658,961

Payments to Sheriff 1,811

Payments to County Attorney 29,485

ALLEN COUNTY

The accompanying notes are an integral part of this financial statement.

BEVERLY CALVERT, COUNTY CLERK
 STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES
 For The Year Ended December 31, 2002
 (Continued)

Disbursements (Continued)

Operating Disbursements and Capital Outlay:

Personnel Services-		
Deputies' Salaries	\$	117,829
Employee Benefits-		
Employer's Share Social Security		13,397
Employer's Share Retirement		11,008
Employer's Paid Health Insurance		24,770
Contracted Services-		
Computer Software, Books, and Paper		12,695
Printing and Binding		2,354
Supplies and Material-		
Office Supplies		18,391
Other Charges-		
Bank Service Charges		479
Conventions and Travel		2,659
Dues and Memberships		1,445
Insurance and Bonds		254
Postage		7,988
Repairs and Maintenance		2,457
Refunds and Miscellaneous		19,094
Libraries and Archives Grant		11,361
Miscellaneous Election Expense		396
Capital Outlay-		
Office Equipment	<u>1,053</u>	\$ 247,630

Debt Service:

Lease Purchases	<u>26,859</u>
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Total Disbursements	<u>\$ 2,813,367</u>
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ALLEN COUNTY
 BEVERLY CALVERT, COUNTY CLERK

The accompanying notes are an integral part of this financial statement.

STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES
 For The Year Ended December 31, 2002
 (Continued)

Net Receipts		\$	96,113
Less: Statutory Maximum			<u>62,259</u>
Excess Fees		\$	33,854
Less: Expense Allowance	\$	3,600	
Training Incentive Benefit		<u>2,965</u>	<u>6,565</u>
Excess Fees Due County for 2002		\$	27,289
Payments to County Treasurer - March 25, 2003			<u>27,289</u>
Balance Due at Completion of Audit		\$	<u><u>0</u></u>

The accompanying notes are an integral part of this financial statement.

ALLEN COUNTY
NOTES TO FINANCIAL STATEMENT

December 31, 2002

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

A fee official uses a fund to report on the results of operations. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

A fee official uses a fund for fees to account for activities for which the government desires periodic determination of the excess of receipts over disbursements to facilitate management control, accountability, and compliance with laws.

B. Basis of Accounting

The financial statement has been prepared on a modified cash basis of accounting, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America. Under this basis of accounting, certain receipts and certain expenditures are recognized as a result of accrual at December 31, 2002.

The measurement focus of a fee official is upon excess fees. Remittance of excess fees is due to the County Treasurer in the subsequent year.

C. Cash and Investments

At the direction of the fiscal court, KRS 66.480 authorizes the County Clerk's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

Note 2. Employee Retirement System

The county officials and employees have elected to participate in the County Employees Retirement System (CERS), pursuant to KRS 78.530 administered by the Board of Trustees of the Kentucky Retirement Systems. This is a multiple-employer public retirement system that covers all eligible full-time employees. Benefit contributions and provisions are established by statute. Nonhazardous covered employees are required to contribute 5.0 percent of their salary to the plan. The county's contribution rate for nonhazardous employees was 6.41 percent for the first six months and 6.34 percent for the last six months of the calendar year.

ALLEN COUNTY
 NOTES TO FINANCIAL STATEMENT
 December 31, 2002
 (Continued)

Note 2. Employee Retirement System (Continued)

Benefits fully vest on reaching five years of service for nonhazardous employees. Aspects of benefits for nonhazardous employees include retirement after 27 years of service or age 65.

Historical trend information pertaining to CERS' progress in accumulating sufficient assets to pay benefits when due is presented in the Kentucky Retirement Systems' annual financial report which is a matter of public record.

Note 3. Deposits

The County Clerk maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC). According to KRS 64.480(1)(d) and KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the County Clerk and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution. These requirements were met, and as of December 31, 2002, the County Clerk's deposits were fully insured or collateralized at a 100% level with collateral of either pledged securities held by the County Clerk's agent in the County Clerk's name, or provided surety bond which named the County Clerk as beneficiary/obligee on the bond.

Note 4. Grant

The County Clerk received a local records microfilming grant from the Kentucky Department for Libraries and Archives in the amount of \$11,361. Funds totaling \$11,361 were expended during calendar year 2002. There were no unexpended grant funds as of December 31, 2002.

Note 5. Leases

The Clerk's office is committed to the following lease agreements as of December 31, 2002:

Item Purchased	Monthly Payment	Term Of Agreement	Ending Date	Remaining Lease Payments December 31, 2002
Hardware/Software	\$ 1,802	60 Months	July 11, 2004	\$ 32,436
Toshiba Copier	160	36 Months	August 1, 2005	5,120
Xerox Copier	274	48 Months	August 30, 2005	8,772

COMMENT AND RECOMMENDATION

ALLEN COUNTY
BEVERLY CALVERT, COUNTY CLERK
COMMENT AND RECOMMENDATION

For The Year Ended December 31, 2002

The County Clerk's Office Lacks Adequate Segregation Of Duties

We noted the lack of an adequate segregation of duties for the internal control structure and its operation that in our judgment is a reportable condition under standards established by the American Institute of Certified Public Accountants. Due to entity's diversity of official operations, small size and budget restrictions, the official has limited options for establishing an adequate segregation of duties. Management has considered and rejected additional cost when setting budget limits on spending for salaries and therefore accepts the degree of risk for a lack of an adequate segregation of duties. However, Ross & Company, PLLC has judged the lack of an adequate segregation of duties as a separate reportable condition.

County Clerk's Response:

I understand.

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REPORT ON COMPLIANCE
AND ON INTERNAL CONTROL OVER FINANCIAL
REPORTING BASED ON AN AUDIT OF THE FINANCIAL STATEMENT
PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

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Report On Compliance And On Internal Control
Over Financial Reporting Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards

We have audited the statement of receipts, disbursements, and excess fees of the Allen County Clerk for the year ended December 31, 2002, and have issued our report thereon dated August 6, 2003. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether the Allen County Clerk's financial statement for the year ended December 31, 2002, is free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under Government Auditing Standards.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Allen County Clerk's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statement and not to provide assurance on the internal control over financial reporting. However, we noted certain matters involving the internal control over financial reporting and its operation that we consider to be reportable conditions. Reportable conditions involve matters coming to our attention relating to significant deficiencies in the design or operation of the internal control over financial reporting that, in our judgment, could adversely affect the entity's ability to record, process, summarize, and report financial data consistent with the assertions of management in the financial statement. A reportable condition is described in the accompanying comment and recommendation section.

- The County Clerk's Office Lacks Adequate Segregation Of Duties

Report On Compliance And On Internal Control
Over Financial Reporting Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards
(Continued)

Internal Control Over Financial Reporting (Continued)

A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statement being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control that might be reportable conditions and, accordingly, would not necessarily disclose all reportable conditions that are also considered to be material weaknesses. We consider the reportable condition described above to be material a weakness.

This report is intended solely for the information and use of management and is not intended to be and should not be used by anyone other than the specified party.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ross & Company", written in a cursive, flowing style.

Ross & Company, PLLC

Audit fieldwork completed -
August 6, 2003

